



waivers of service in an attempt to avoid further delays and expenses associated with personal service. Moreover, the Defendants have now filed an answer. (Doc. 31).

Defaults are viewed with disfavor, and there is a “strong policy of determining cases on their merits.” *In re Worldwide Web Sys., Inc.*, 328 F.3d 1291, 1295 (11th Cir. 2003). Rule 55(c) of the Federal Rules of Civil Procedure provides that the Court may set aside any entry of default for “good cause,” which generally requires the consideration of factors such as: “whether the default was culpable or willful, whether setting [the default] aside would prejudice the adversary, and whether the defaulting party presents a meritorious defense.” *Compania Interamericana Export-Import, S.A. v. Compania Dominicana de Aviacion*, 88 F.3d 948, 951–52 (11th Cir. 1996).

There is no genuine suggestion on the present record of any culpable conduct by Defendants Ellis, Ball and Hargrove, these Defendants have raised grounds in their answer for a potentially meritorious defense in this action, and there is no indication that Plaintiff will suffer from prejudice by litigating the merits of his claims through the ordinary legal process. Accordingly, the Defendants’ motion to set aside the entry of default is granted, and Plaintiff’s motion for a default judgment is denied.

**SO ORDERED**, this 24th day of September, 2021.

s/ Charles H. Weigle  
Charles H. Weigle  
United States Magistrate Judge